

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BARRY LAMON,

Plaintiff,

No. CIV S-03-0423 FCD CMK P

VS.

C.K. PLILER

Defendants.

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On February 1, 2005, the magistrate judge filed findings and recommendations herein, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty days. On March 2, 2005, the court granted plaintiff an additional twenty day to file objections. On two different occasions, plaintiff refused service of the court's order, filed March 2, 2005. On April 13, 2005, plaintiff filed untimely objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case and has considered the plaintiff's untimely objections. Having carefully reviewed the entire file, the court finds the findings and

1 recommendations to be supported by the record and by proper analysis. The court has
2 determined that there is no need to modify the findings and recommendations based on the points
3 raised in plaintiff's objections.

4 Accordingly, IT IS HEREBY ORDERED that the findings and recommendations
5 filed February 1, 2005, are adopted in full.

6 DATED: April 27, 2005.

7 /s/ Frank C. Damrell Jr.
8 FRANK C. DAMRELL JR.
9 United States District Judge

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